

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOHN MARTINEZ, 1: 05 CV 0077 AWI DLB P  
Plaintiff, ORDER DIRECTING PLAINTIFF TO SUBMIT  
v. USM 285 FORMS  
VASQUEZ, et.al., Defendants.

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is the complaint filed January 19, 2005. The complaint appears to state a cognizable claim for relief. Accordingly, IT IS HEREBY ORDERED that:

1. Service is appropriate for the following defendants:
  - I. VASQUEZ
  - X. CANO
  - C. TERLE
  - D. ORTIZ
  - A. SCRIBNER
  - T. SURGES
2. The Clerk of the Court shall send plaintiff six (6) USM-285 forms, six (6) summons, a Notice of Submission of Documents form, an instruction sheet and a

1 copy of the complaint filed January 19, 2005.

2 3. Within THIRTY (30) DAYS from the date of this Order, plaintiff shall complete  
3 the attached Notice of Submission of Documents and submit the completed  
4 Notice to the Court with the following documents:  
5 a. Completed summons;  
6 b. One completed USM-285 form for each defendant listed above; and  
7 c. Seven (7) copies of the endorsed complaint filed January 19, 2005.  
8 4. Plaintiff need not attempt service on defendants and need not request waiver of  
9 service. Upon receipt of the above-described documents, the court will direct the  
10 United States Marshal to serve the above-named defendants pursuant to Federal  
11 Rule of Civil Procedure 4 without payment of costs.  
12 5. The failure to comply with this Order will result in a Recommendation that this  
13 action be dismissed.

14 IT IS SO ORDERED.

15 Dated: April 28, 2005  
16 3b142a

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE